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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

‘ĪLIO‘ULAOKALANI COALITION, a)	Civil No. 04-00502 DAE BMK
Hawai‘i nonprofit corporation; NĀ ‘IMI)	
PONO, a Hawai‘i unincorporated)	PLAINTIFFS’ MOTION TO
association; and KĪPUKA, a Hawai‘i)	CLARIFY DECEMBER 29, 2006
unincorporated association,)	ORDER SETTING INTERIM
Plaintiffs,)	INJUNCTION; MEMORANDUM IN
v.)	SUPPORT OF MOTION;
ROBERT M. GATES, Secretary of)	DECLARATION OF DAVID L.
Defense; and FRANCIS J. HARVEY,)	HENKIN; EXHIBITS “1”-“7;”
Secretary of the United States)	CERTIFICATE OF SERVICE
Department of the Army,*)	
Defendants.)	<u>Non-Hearing Motion</u>
_____)	

PLAINTIFFS’ MOTION TO CLARIFY
DECEMBER 29, 2006 ORDER SETTING INTERIM INJUNCTION

* Pursuant to Federal Rule of Civil Procedure 25(d)(1), Secretary of Defense Robert M. Gates is substituted for his predecessor, Donald Rumsfeld.

Plaintiffs ‘Īlio‘ulaokalani Coalition, Nā ‘Imi Pono, and Kīpuka (collectively, “the Hawaiian Groups”) seek clarification regarding the December 29, 2006 Order Setting Interim Injunction, which “narrow[ed] the broad injunction issued by the Ninth Circuit” regarding Stryker Brigade Combat Team (“SBCT”)-specific training. 12/29/06 Order at 6. Specifically, the Hawaiian Groups respectfully ask the Court to define with greater precision the SBCT-specific training activities it intended to allow during the term of the interim injunction. As discussed in the memorandum filed herewith, such clarification is necessary to ensure that, while the interim injunction is in force, defendants Robert M. Gates, Secretary of Defense, and Francis J. Harvey, Secretary of the United States Department of the Army, engage in only those training activities this Court has determined are “time-critical.” Id. at 60.

This motion is based on Federal Rules of Civil Procedure 7 and 59, the attached memorandum, declaration and exhibits, the pleadings on file herein, and such other matters as may be presented to the Court.

DATED: Honolulu, Hawai‘i, January 12, 2007.

EARTHJUSTICE
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By: /s/ David L. Henkin
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